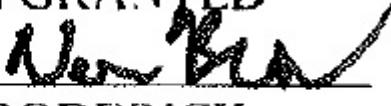


APPLICATION GRANTED
SO ORDERED 
VERNON S. BRODERICK
U.S.D.J. 12/7/2022

JacksonLewis

Defendants' motion is denied as moot without prejudice to refile pursuant to Fed. R. Civ. P. 15(a)(3). The Clerk of Court is respectfully directed to terminate the motion at Doc. 12.

December 6, 2022

VIA ECF

Hon. Vernon S. Broderick, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 415
New York, New York 10007

Re: James Lee v. Riverbay Corporation et al
Case No. 22-cv-7504 (VSB)

Dear Judge Broderick:

We represent all of the Defendants in the above-referenced action. Defendants submit this letter in accordance with Your Honor's November 30, 2022 Order (Docket No. 15), to notify the Court that Defendants' Motion to Dismiss Plaintiff's Complaint (Docket Nos. 12-13) should be deemed moot without prejudice to refile a new motion to dismiss in accordance with Federal Rule of Civil Procedure 15(a)(3).

Your Honor's consideration is greatly appreciated.

Respectfully submitted,

Brian J. Shenker

Brian J. Shenker

Cc: All counsel (via ECF)

4887-0512-3394, v. 1